

S.B. CIVIL WRIT PETITION NO.1893/2005

Smt. Bhawana Devi vs. State of Raj. and others.

Date : 20.4.2005

HON'BLE MR. PRAKASH TATIA, J.

Mr. Bharat Devasi for Mr.PS Bhati, for the petitioner.

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Heard learned counsel for the petitioner.

The petitioner is aggrieved against the order of cancellation of license for fair price shop dated 2.9.2003 (Annex.6) and the rejection of his revision petition vide order dated 24.2.2005 (Annex.9).

According to learned counsel for the petitioner, before taking action against the petitioner, no reasonable opportunity of hearing was given to the petitioner and there is a mandatory condition to serve a show cause notice before passing any order. It is also submitted that the respondents are now proceeding to give the license to other persons.

I have considered the submissions of the learned counsel for the petitioner and perused the impugned orders.

It appears from the facts of the case that a

search was conducted in the premises of the petitioner on 17.1.2003 and after finding some shortage, the representative of the petitioner was directed to produce the stock register but he did not produce the same. On 18.7.2003, notice was issued to the petitioner which was served upon the petitioner's representative Mr. Narendra Menaria but despite this notice, record was not produced. The license of the petitioner was suspended and further notice was given to the petitioner, still no record was produced. There are serious allegations of black-marketing against the petitioner and that the authorities dealing with the distribution of control items, have recorded a finding against the petitioner.

Looking to the conduct and the allegations levelled against the petitioner, I do not find any merit in this writ petition so as to call for interference by this Court while exercising writ jurisdiction.

Accordingly, this writ petition, having no force, is hereby dismissed.

(PRAKASH TATIA), J.

S.Phophaliya